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ORDINANCE NO. 2008 - 025

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR THE COUNTY INITIATED **SANTA ROSA GROVES** CORRECTIVE AMENDMENT (LGA 2008-022), MODIFYING PAGE 39 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 642 ACRES OF LAND, GENERALLY LOCATED THREE (3) MILES WEST OF SEMINOLE PRATT-WHITNEY ROAD, SOUTH OF LOUISE STREET, NORTH OF MARIE COURT, WEST OF CAROL STREET AND EAST OF DENNIS STREET, FROM RURAL RESIDENTIAL, ONE UNIT PER TEN ACRES (RR-10), TO RURAL RESIDENTIAL, ONE UNIT PER FIVE ACRES (RR-5); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearings on February 8, February 22, March 28, and April 11, 2008 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 28, 2008 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Palm Beach County received the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated July 11, 2008 which was the Department's written review of the proposed Comprehensive Plan amendments; and

**WHEREAS**, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained in this ordinance;

**WHEREAS**, on August 21, 2008 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

**WHEREAS**, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Part I. Amendments to the Future Land Use Atlas of the Future Land Use Element of the 1989 Comprehensive Plan**

The following amendment to the Future Land Use Atlas is hereby adopted and attached to this Ordinance as Exhibit 1:

1. **Future Land Use Atlas page 39** is amended as follows:

**Application:** **Santa Rosa Groves (LGA 2008-022)**

**Amendment:** From Rural Residential, one unit per ten acres (RR-10), to Rural Residential, one unit per five acres (RR-5),

**Location:** Generally Located 3 miles west of Seminole Pratt-Whitney Road, south of Louise Street, north of Marie Court, west of Carol Street and east of Dennis Street,

**Size:** Approximately 642 acres.

**Part II. Repeal of Laws in Conflict**

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

**Part III. Severability**

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

**Part IV. Inclusion in the 1989 Comprehensive Plan**

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Part V. Effective Date**

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

**APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach County, on the 21st day of August, 2008.

ATTEST:
SHARON R. BOCK, CLERK
& COMPTROLLER

By _____
Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By _____
Addie L. Greene, Chairperson

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
COUNTY ATTORNEY

Filed with the Department of State on the 28th day of August, 2008.

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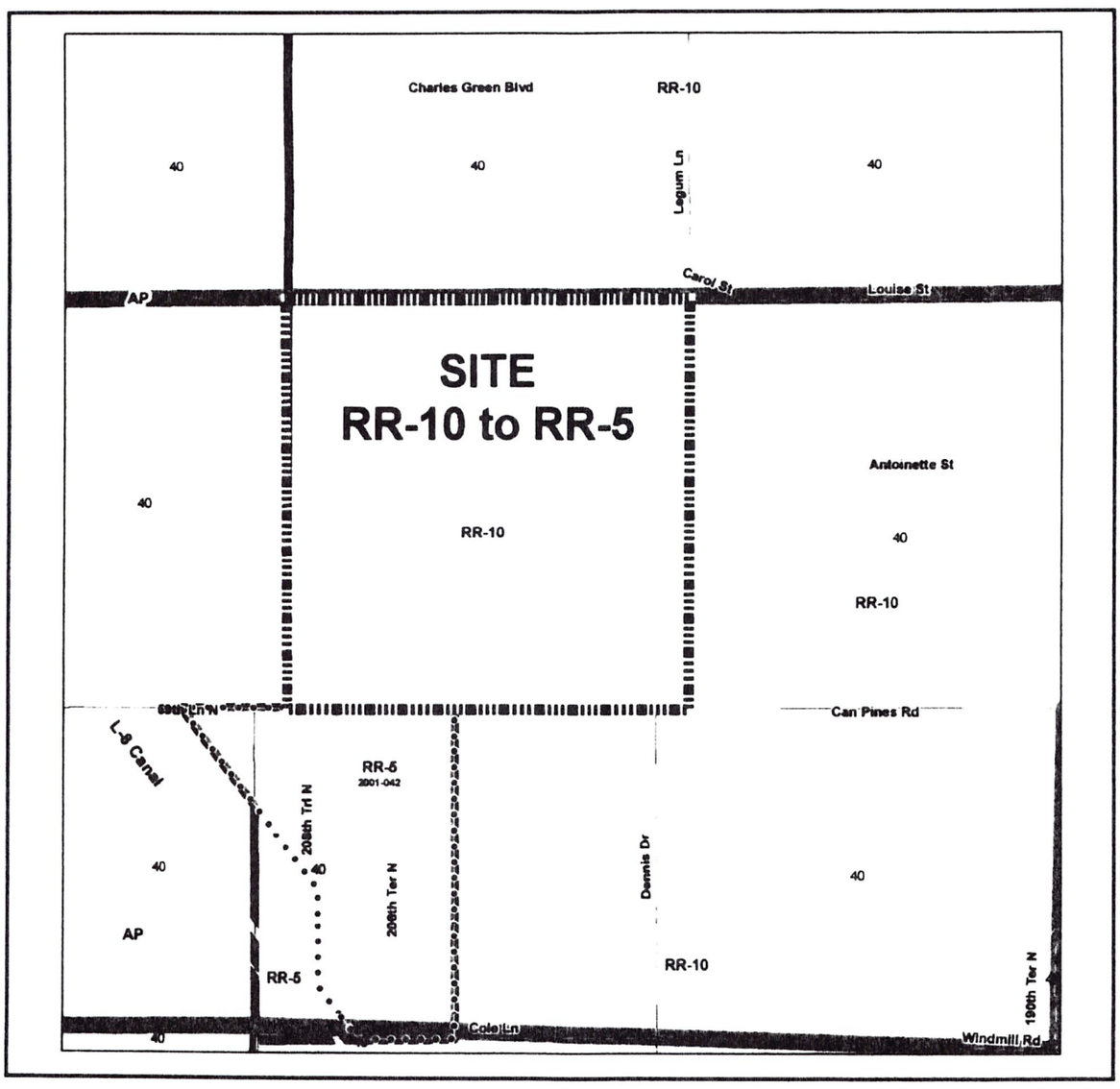
# EXHIBIT 1

**A. Future Land Use Atlas page 39 is amended as follows:**

| | |
|---|---|
| **Amendment No.:** | **Santa Rosa Groves (LGA 2008-022)** |
| **FLUA Page No.:** | 39 |
| **Amendment:** | Rural Residential, one unit per ten acres (RR-10), to Rural Residential, one unit per five acres (RR-5); |
| **Location:** | Approximately 3 miles west of Seminole Pratt-Whitney Road, south of Louise St, north of Marie Court, west of Carol St and east of Dennis St |
| **Size:** | 642 acres (approximately) |
| **Property No.:** | 99 parcel control numbers provided on the following page |



**Parcel Control Numbers**

SECTION 32, TOWNSHIP 42 SOUTH, RANGE 40 EAST

| | | |
|---|---|---|
| 00404232000001010 | 00404232000003450 | 00404232000005240 |
| 00404232000001290 | 00404232000003460 | 00404232000005250 |
| 00404232000001490 | 00404232000003470 | 00404232000005260 |
| 00404232000001500 | 00404232000003630 | 00404232000005270 |
| 00404232000001510 | 00404232000003640 | 00404232000005280 |
| 00404232000001520 | 00404232000003650 | 00404232000005310 |
| 00404232000001540 | 00404232000003660 | 00404232000005320 |
| 00404232000001550 | 00404232000003670 | 00404232000005330 |
| 00404232000001560 | 00404232000003680 | 00404232000005340 |
| 00404232000001570 | 00404232000003690 | 00404232000005360 |
| 00404232000001580 | 00404232000003700 | 00404232000005530 |
| 00404232000001590 | 00404232000003710 | 00404232000007090 |
| 00404232000001600 | 00404232000003720 | 00404232000007100 |
| 00404232000001610 | 00404232000003730 | 00404232000007110 |
| 00404232000001620 | 00404232000003740 | 00404232000007120 |
| 00404232000001790 | 00404232000003750 | 00404232000007130 |
| 00404232000001800 | 00404232000003760 | 00404232000007140 |
| 00404232000001810 | 00404232000003770 | 00404232000007150 |
| 00404232000001820 | 00404232000003780 | 00404232000007160 |
| 00404232000001830 | 00404232000003940 | 00404232000007170 |
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| 00404232000001850 | 00404232000003960 | 00404232000007190 |
| 00404232000001860 | 00404232000003970 | 00404232000007200 |
| 00404232000001870 | 00404232000003980 | 00404232000007210 |
| 00404232000001880 | 00404232000005010 | 00404232000007220 |
| 00404232000001890 | 00404232000005020 | 00404232000007340 |
| 00404232000001900 | 00404232000005030 | 00404232000007350 |
| 00404232000001910 | 00404232000005040 | 00404232000007360 |
| 00404232000001920 | 00404232000005050 | 00404232000007370 |
| 00404232000001930 | 00404232000005060 | 00404232000007380 |
| 00404232000003420 | 00404232000005070 | 00404232000007390 |
| 00404232000003430 | 00404232000005082 | 00404232000007400 |
| 00404232000003440 | 00404232000005230 | 00404232000007410 |

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk and Comptroller
certify this to be a true and correct copy of the origina
filed in my office on August 21, 2008
dated at West Palm Beach, FL on 9/3/08
By: Diane Brown
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY FLORIDA